

REMARKS

Method claim 4 remains in this application.

Method claims 1-3 and 5 have been cancelled.

No claims are allowed.

The present invention is directed to a telecommunications customer service terminal (CST) wherein the CST's various low voltage terminals are connected to associated equipment using telephone wire that is readily available to personnel that install the terminal.

In addition, the small, simple and inexpensive CST of this invention (1) does not include and on/off switch, (2) includes a low-voltage DC power input terminal, (3) and this low-voltage power input terminal is telephone-wire-connected to a low-voltage DC power supply. That is, only as long as the DC power supply provides a low voltage DC is the CST operative.

The Examiner's final rejection (1) rejects claims 1 and 4 as unpatentable over prior-cited USP 6,242,646 to Gerszberg in view of prior-cited USP 4,272,656 to Nishikawa, (2) rejects claim 2 as unpatentable over the prior-cited patent to Gerszberg in view of the prior-cited patent to Nishikawa, and further in view of prior-cited USP 3,932,712 to Suntop, and (3) rejects claims 3 and 5 as unpatentable over the prior-cited patent to Gerszberg in view of the prior-cited patent to Nishikawa, and further in view of prior-cited USP 5,216,704 to Williams.

In order to more clearly define the present invention, a single method claim is herewith presented in the form of currently-amended claim 4, the whole of amended claim 4 including the limitations that are found in now-cancelled method-claim 5.

Relative to the present invention's claimed-limitation that the claimed CST has low voltage terminals that are connected to associated equipment using telephone wire, the Examiner cites various teachings found in the Gerszberg citation.

For example, Gerszberg is cited as teaching (1) a twisted-pair local loop architecture 1 (FIG. 1) wherein an intelligent services director 22 may be coupled to a central office via a twisted pair customer connection 30, (2) telephones 15A-15n (FIG. 5) that are connected to a residential interface module 115 by way of TIP/RING lines, and (3) digital terminals 130, 14A, 14B (FIG. 5) that are connected to control 510 by way of the ETHERNET.

The Examiner also states that col. 4 lines 56-60 of Gerszberg teaches a lifeline 126 (FIG. 2) that connects ISD 22 to central office 34.

In order to form a basis for the rejection of presently amended method-claim 4, the Examiner requires a combination of the method-teachings of four citations, i.e. Gerszberg, Nishikawa, Suntop, and Williams.

It is respectfully submitted that the Examiner's reasoning improperly uses a hindsight knowledge of the present invention when formulating the present rejection.

While it may be possible that the whole of presently amended method-claim 4 could have been visualized from these four citations, the fact remains that only the present inventors teach the whole of presently amended method-claim 4, and the present inventors should be granted a patent as a reward for being the first to disclose the whole of presently amended method-claim 4 to the public.

Where in the Examiner's four citations is there a suggestion to rebuild the citations as suggested by the Examiner?

It is respectfully submitted that there is no such suggestion, and that the Examiner is improperly using a hindsight knowledge of the present invention when the Examiner rebuilds the citations in the manner found in the final rejection.

In order to support the Examiner's conclusion that the claimed invention is directed to obvious subject matter, the citations themselves must expressly or impliedly suggest the claimed invention, or the Examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the citations.

The mere fact that the citations can be combined or modified does not render the resulting combination obvious unless the citations themselves suggest the desirability of the making combination.

In order to prevent the improper use of hindsight to defeat the patenting of a given invention, it is required that the Examiner show motivation to combine the citations as the Examiner suggests. In other words, the Examiner must show reasons why the skilled artisan, confronted with the same problems, and with no knowledge of the claimed invention, would select the elements in the manner cited by the Examiner.

The best defense against a hindsight-based rejection by the Examiner is the rigorous application of the requirement to show a suggestion, a teaching, or motivation to combine prior art citations as was done by the Examiner.

A citation-by-citation, limitation-by-limitation, analysis by the Examiner must demonstrate how the citations teach or suggest combining the citations in a manner to yield the claimed invention.

No claim related fees are believed to be due with this response. In the event any such fees are due, please debit Deposit Account 08-2623.

Reconsideration and allowance of this application is respectfully requested.

In the alternative, it is respectfully requested that this amendment after final rejection be entered since this amendment simplifies the issues to be reviewed on appeal.

Respectfully submitted,

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